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VIA ELECTRONIC MAIL

September 2, 2008

Steven J. Brady, Esq.
Brady Law Group
1015 Irwin Street, Suite A
San Rafael, CA 94901

Michael Thomas Pyle, Esq.
United States Attorney's Office
450 Golden Gate Avenue
Box 36055
San Francisco, CA 94102-3495

Re: *Mussumeli v. United States of America*
United States District Court, California Northern District
Hon. Maxine M. Chesney
Case Number: 3:08-cv-02895-MMC

Dear Counsel:

I am writing to confirm my appointment as your mediator in the above-referenced matter. Information regarding my background and mediation philosophy can be found at www.winkelman-adr.com. In preparation for your mediation, I would like to arrange a conference call with you within the next couple weeks.

I suggest we conduct a phone conference with all counsel on **Tuesday, September 9, 2008 at 10:00 a.m.** My office will set up and initiate the call. If for some reason you cannot participate at this time, please contact me. I suggest that we discuss the following issues:

- The procedures to be followed and the United States District Court mediation guidelines;
- The nature of the case;
- Appropriate dates for the mediation and the anticipated length of the session;
- The parties who will be present at the session;
- Ideas to improve the effectiveness of the mediation session or matters that could pose impediments;

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- Requirements for your written mediation statements; and
- Any questions you may have about the process.

I anticipate that the telephone conference will last approximately one-half hour. **Before the conference, please obtain a selection of dates that your clients and necessary decision makers can attend this mediation. Please note that all decision makers and parties to the action will be required to personally appear at the mediation.**

My conflicts check revealed no actual or potential conflicts of interest under 28 U.S.C. §455(a) and (b), nor am I aware of any other circumstances that would compromise my impartiality or the appearance of impartiality.

I look forward to assisting you on this case.

Very truly yours,

Bruce H. Winkelman

Bruce H. Winkelman

cc: Clerk's Office-ADR Unit